



State of Utah

Department of  
Environmental Quality

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DAQ-064-07

MEMORANDUM

**TO:** Air Quality Board

**THROUGH:** Cheryl Heying, Executive Secretary

**FROM:** Eileen Brennan, MACT Coordinator

**DATE:** September 5, 2007

**SUBJECT:** Propose for Public Comment: Amend R307-214. National Emission Standards for Hazardous Air Pollutants.

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The National Emission Standards for Hazardous Air Pollutants (NESHAPS) are federal rules that regulate hazardous air pollutants (HAPs) and implement Section 112 of the Clean Air Act (CAA). These standards are also commonly referred to as Maximum Achievable Control Technology (MACT) standards, and are located in 40 Code of Federal Regulations (CFR) Part 63.

The 1990 CAA amendments required the EPA to list source categories to be regulated by MACT standards and a schedule for promulgation of the standards. These source categories and schedules have been published, and 111 MACT standards have now been promulgated. Under R307-214-2, the Board has previously adopted 94 of the MACTs contained in 40 CFR 63, and has chosen not to adopt seven other MACTs. The following ten MACT standards that may apply to current or future sources in Utah have been promulgated since the last update of R307-214-2:

- Polyvinyl Chloride and Copolymers Production Area Sources
- Primary Copper Smelting Area Sources
- Secondary Copper Smelting Area Sources
- Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium
- Acrylic and Modacrylic Fibers Production Area Sources
- Carbon Black Production Area Sources
- Chemical Manufacturing Area Sources: Chromium Compounds
- Flexible Polyurethane Foam Production and Fabrication Area Sources

- Lead Acid Battery Manufacturing Area Sources
- Wood Preserving Area Sources

Utah committed to adopting, implementing, and enforcing all applicable MACT standards in the Operating Permit Program submitted to EPA in April 1994. Utah demonstrated to EPA that it has the resources necessary to carry out this commitment, and EPA approved the Operating Permit Program in part based upon this demonstration. As EPA promulgates new standards, the Division will ask the Board to adopt those standards that are potentially applicable to Utah sources.

By adopting and receiving delegation for the ten MACT standards that have been promulgated since the last rule update, the State will have primacy over administration of these standards in Utah. This will be consistent with the historical approach taken by the Board, and will simplify procedures required of sources. Additionally, this rule update will incorporate all federally promulgated changes to previously adopted MACT standards.

The attached rule change also updates the incorporation by reference of 40 CFR Part 61 to the most current version of the CFR. There have been a number of changes that have occurred since the last Part 61 update in the Utah rules; however, these changes are either procedural in nature or minor modifications that include cleanup of language, citations, and cross references throughout Part 61.

The text of each individual MACT standard is voluminous and is not included in the Board packet. The proposed text for the modification to R307-214 is attached for your review.

**Recommendation:** Staff recommends that changes to R307-214 be proposed for public comment. This proposal includes the incorporation by reference of the ten new MACT standards, as well as updating the CFR reference to July 1, 2007 for both 40 CFR Part 61 and Part 63.

**R307. Environmental Quality, Air Quality.****R307-214. National Emission Standards for Hazardous Air Pollutants.****R307-214-1. Part 61 Sources.**

The provisions of 40 Code of Federal Regulations (CFR) Part 61, National Emission Standards for Hazardous Air Pollutants, effective as of ~~[October 20, 1994]~~ July 1, 2007, are incorporated into these rules by reference. For source categories delegated to the State, references in 40 CFR Part 61 to "the Administrator" shall refer to the Executive Secretary.

**R307-214-2. Part 63 Sources.**

The provisions listed below of 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories, effective as of July 1, ~~[2006]~~ 2007, or later for those whose subsequent publication citation is included below, are incorporated into these rules by reference. References in 40 CFR Part 63 to "the Administrator" shall refer to the executive secretary, unless by federal law the authority is specific to the Administrator and cannot be delegated.

(1) 40 CFR Part 63, Subpart A, General Provisions.

(2) 40 CFR Part 63, Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance with 42 U.S.C. 7412(g) and (j).

(3) 40 CFR Part 63, Subpart F, National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.

(4) 40 CFR Part 63, Subpart G, National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

(5) 40 CFR Part 63, Subpart H, National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

(6) 40 CFR Part 63, Subpart I, National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.

(7) 40 CFR Part 63, Subpart J, National Emission Standards for Polyvinyl Chloride and Copolymers Production.

(8) 40 CFR Part 63, Subpart L, National Emission Standards for Coke Oven Batteries.

(9) 40 CFR Part 63, Subpart M, National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.

(10) 40 CFR Part 63, Subpart N, National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

(11) 40 CFR Part 63, Subpart O, National Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Commercial Sterilization and Fumigation Operations.

(12) 40 CFR Part 63, Subpart Q, National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.

(13) 40 CFR Part 63, Subpart R, National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and

1 Pipeline Breakout Stations).

2 (14) 40 CFR Part 63, Subpart T, National Emission Standards  
3 for Halogenated Solvent Cleaning.

4 (15) 40 CFR Part 63, Subpart U, National Emission Standards  
5 for Hazardous Air Pollutant Emissions: Group I Polymers and  
6 Resins.

7 (16) 40 CFR Part 63, Subpart AA, National Emission Standards  
8 for Hazardous Air Pollutants for Phosphoric Acid Manufacturing.

9 (17) 40 CFR Part 63, Subpart BB, National Emission Standards  
10 for Hazardous Air Pollutants for Phosphate Fertilizer Production.

11 (18) 40 CFR Part 63, Subpart CC, National Emission Standards  
12 for Hazardous Air Pollutants from Petroleum Refineries.

13 (19) 40 CFR Part 63, Subpart DD, National Emission Standards  
14 for Hazardous Air Pollutants from Off-Site Waste and Recovery  
15 Operations.

16 (20) 40 CFR Part 63, Subpart EE, National Emission Standards  
17 for Magnetic Tape Manufacturing Operations.

18 (21) 40 CFR Part 63, Subpart GG, National Emission Standards  
19 for Aerospace Manufacturing and Rework Facilities.

20 (22) 40 CFR Part 63, Subpart HH, National Emission Standards  
21 for Hazardous Air Pollutants for Oil and Natural Gas Production.

22 (23) 40 CFR Part 63, Subpart JJ, National Emission Standards  
23 for Wood Furniture Manufacturing Operations.

24 (24) 40 CFR Part 63, Subpart KK, National Emission Standards  
25 for the Printing and Publishing Industry.

26 (25) 40 CFR Part 63, Subpart MM, National Emission Standards  
27 for Hazardous Air Pollutants for Chemical Recovery Combustion  
28 Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp  
29 Mills.

30 (26) 40 CFR Part 63, Subpart OO, National Emission Standards  
31 for Tanks - Level 1.

32 (27) 40 CFR Part 63, Subpart PP, National Emission Standards  
33 for Containers.

34 (28) 40 CFR Part 63, Subpart QQ, National Emission Standards  
35 for Surface Impoundments.

36 (29) 40 CFR Part 63, Subpart RR, National Emission Standards  
37 for Individual Drain Systems.

38 (30) 40 CFR Part 63, Subpart SS, National Emission Standards  
39 for Closed Vent Systems, Control Devices, Recovery Devices and  
40 Routing to a Fuel Gas System or a Process (Generic MACT).

41 (31) 40 CFR Part 63, Subpart TT, National Emission Standards  
42 for Equipment Leaks- Control Level 1 (Generic MACT).

43 (32) 40 CFR Part 63, Subpart UU, National Emission Standards  
44 for Equipment Leaks-Control Level 2 Standards (Generic MACT).

45 (33) 40 CFR Part 63, Subpart VV, National Emission Standards  
46 for Oil-Water Separators and Organic-Water Separators.

47 (34) 40 CFR Part 63, Subpart WW, National Emission Standards  
48 for Storage Vessels (Tanks)-Control Level 2 (Generic MACT).

49 (35) 40 CFR Part 63, Subpart XX, National Emission Standards  
50 for Ethylene Manufacturing Process Units: Heat Exchange Systems  
51 and Waste Operations.

52 (36) 40 CFR Part 63, Subpart YY, National Emission Standards  
53 for Hazardous Air Pollutants for Source Categories: Generic MACT.

(37) 40 CFR Part 63, Subpart CCC, National Emission Standards for Hazardous Air Pollutants for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants.

(38) 40 CFR Part 63, Subpart DDD, National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.

(39) 40 CFR Part 63, Subpart EEE, National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors.

(40) 40 CFR Part 63, Subpart GGG, National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production.

(41) 40 CFR Part 63, Subpart HHH, National Emission Standards for Hazardous Air Pollutants for Natural Gas Transmission and Storage.

(42) 40 CFR Part 63, Subpart III, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.

(43) 40 CFR Part 63, Subpart JJJ, National Emission Standards for Hazardous Air Pollutants for Group IV Polymers and Resins.

(44) 40 CFR Part 63, Subpart LLL, National Emission Standards for Hazardous Air Pollutants for Portland Cement Manufacturing Industry.

(45) 40 CFR Part 63, Subpart MMM, National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.

(46) 40 CFR Part 63, Subpart NNN, National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.

(47) 40 CFR Part 63, Subpart OOO, National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins Production (Resin III).

(48) 40 CFR Part 63, Subpart PPP, National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production.

(49) 40 CFR Part 63, Subpart QQQ, National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelters.

(50) 40 CFR Part 63, Subpart RRR, National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

(51) 40 CFR Part 63, Subpart TTT, National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting.

(52) 40 CFR Part 63, Subpart UUU, National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.

(53) 40 CFR Part 63, Subpart VVV, National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.

(54) 40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills.

1 (55) 40 CFR Part 63, Subpart CCCC, National Emission  
2 Standards for Manufacturing of Nutritional Yeast.

3 (56) 40 CFR Part 63, Subpart DDDD, National Emission  
4 Standards for Hazardous Air Pollutants for Plywood and Composite  
5 Wood Products.

6 (57) 40 CFR Part 63, Subpart EEEE, National Emission  
7 Standards for Hazardous Air Pollutants for Organic Liquids  
8 Distribution (non-gasoline).

9 (58) 40 CFR Part 63, Subpart FFFF, National Emission  
10 Standards for Hazardous Air Pollutants for Miscellaneous Organic  
11 Chemical Manufacturing.

12 (59) 40 CFR Part 63, Subpart GGGG, National Emission  
13 Standards for Vegetable Oil Production; Solvent Extraction.

14 (60) 40 CFR Part 63, Subpart HHHH - National Emission  
15 Standards for Wet-Formed Fiberglass Mat Production.

16 (61) 40 CFR Part 63, Subpart IIII, National Emission  
17 Standards for Hazardous Air Pollutants for Surface Coating of  
18 Automobiles and Light-Duty Trucks.

19 (62) 40 CFR Part 63, Subpart JJJJ, National Emission  
20 Standards for Hazardous Air Pollutants for Paper and Other Web  
21 Surface Coating Operations.

22 (63) 40 CFR Part 63, Subpart KKKK, National Emission  
23 Standards for Hazardous Air Pollutants for Surface Coating of  
24 Metal Cans.

25 (64) 40 CFR Part 63, Subpart MMMM, National Emission  
26 Standards for Hazardous Air Pollutants for Surface Coating of  
27 Miscellaneous Metal Parts and Products.

28 (65) 40 CFR Part 63, Subpart NNNN - National Emission  
29 Standards for Large Appliances Surface Coating Operations.

30 (66) 40 CFR Part 63, Subpart OOOO, National Emission  
31 Standards for Hazardous Air Pollutants for Fabric Printing,  
32 Coating and Dyeing Surface Coating Operations.

33 (67) 40 CFR Part 63, Subpart PPPP, National Emissions  
34 Standards for Hazardous Air Pollutants for Surface Coating of  
35 Plastic Parts and Products.

36 (68) 40 CFR Part 63, Subpart QQQQ, National Emission  
37 Standards for Hazardous Air Pollutants for Surface Coating of Wood  
38 Building Products.

39 (69) 40 CFR Part 63, Subpart RRRR, National Emission  
40 Standards for Hazardous Air Pollutants for Metal Furniture Surface  
41 Coating Operations.

42 (70) 40 CFR Part 63, Subpart SSSS - National Emission  
43 Standards for Metal Coil Surface Coating Operations.

44 (71) 40 CFR Part 63, Subpart TTTT - National Emission  
45 Standards for Leather Tanning and Finishing Operations.

46 (72) 40 CFR Part 63, Subpart UUUU - National Emission  
47 Standards for Cellulose Product Manufacturing.

48 (73) 40 CFR Part 63, Subpart VVVV - National Emission  
49 Standards for Boat Manufacturing.

50 (74) 40 CFR Part 63, Subpart WWWW, National Emissions  
51 Standards for Hazardous Air Pollutants for Reinforced Plastic  
52 Composites Production.

53 (75) 40 CFR Part 63, Subpart XXXX - National Emission

Standards for Tire Manufacturing.

(76) 40 CFR Part 63, Subpart YYYY, National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.

(77) 40 CFR Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

(78) 40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.

(79) 40 CFR Part 63, Subpart BBBB, National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing.

(80) 40 CFR Part 63, Subpart CCCC, National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks.

(81) 40 CFR Part 63, Subpart DDDD, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters.

(82) 40 CFR Part 63, Subpart EEEE, National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries.

(83) 40 CFR Part 63, Subpart FFFF, National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing.

(84) 40 CFR Part 63, Subpart GGGG, National Emission Standards for Hazardous Air Pollutants for Site Remediation.

(85) 40 CFR Part 63, Subpart HHHH, National Emission Standards for Hazardous Air Pollutants for Miscellaneous Coating Manufacturing.

(86) 40 CFR Part 63, Subpart IIII, National Emission Standards for Hazardous Air Pollutants for Mercury Emissions from Mercury Cell Chlor-Alkali Plants.

(87) 40 CFR Part 63, Subpart JJJJ, National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing.

(88) 40 CFR Part 63, Subpart KKKK, National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing.

(89) 40 CFR Part 63, Subpart LLLL, National Emission Standards for Hazardous Air Pollutants for Asphalt Processing and Asphalt Roofing Manufacturing.

(90) 40 CFR Part 63, Subpart MMMM, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Fabrication Operations.

(91) 40 CFR Part 63, Subpart NNNN, National Emission Standards for Hazardous Air Pollutants for Hydrochloric Acid Production.

(92) 40 CFR Part 63, Subpart PPPP, National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stand.

(93) 40 CFR Part 63, Subpart QQQQ - National Emission Standards for Hazardous Air Pollutants for Friction Materials

1 Manufacturing Facilities.

2 (94) 40 CFR Part 63, Subpart RRRRR, National Emission  
3 Standards for Hazardous Air Pollutants for Taconite Iron Ore  
4 Processing.

5 (95) 40 CFR Part 63, Subpart SSSSS, National Emission  
6 Standards for Hazardous Air Pollutants for Refractory Products  
7 Manufacturing.

8 (96) 40 CFR Part 63, Subpart TTTTT, National Emission  
9 Standards for Hazardous Air Pollutants for Primary Magnesium  
10 Refining.

11 (97) 40 CFR Part 63, Subpart DDDDDD, National Emission  
12 Standards for Hazardous Air Pollutants for Polyvinyl Chloride and  
13 Copolymers Production Area Sources.

14 (98) 40 CFR Part 63, Subpart EEEEE, National Emission  
15 Standards for Hazardous Air Pollutants for Primary Copper  
16 Smelting Area Sources.

17 (99) 40 CFR Part 63, Subpart FFFFFF, National Emission  
18 Standards for Hazardous Air Pollutants for Secondary Copper  
19 Smelting Area Sources.

20 (100) 40 CFR Part 63, Subpart GGGGGG, National Emission  
21 Standards for Hazardous Air Pollutants for Primary Nonferrous  
22 Metals Area Sources-Zinc, Cadmium, and Beryllium.

23 (101) 40 CFR Part 63, Subpart LLLLLL, National Emission  
24 Standards for Hazardous Air Pollutants for Acrylic and Modacrylic  
25 Fibers Production Area Sources, published on July 16, 2007 at 72  
26 FR 38864.

27 (102) 40 CFR Part 63, Subpart MMMMMM, National Emission  
28 Standards for Hazardous Air Pollutants for Carbon Black  
29 Production Area Sources, published on July 16, 2007 at 72 FR  
30 38864.

31 (103) 40 CFR Part 63, Subpart NNNNNN, National Emission  
32 Standards for Hazardous Air Pollutants for Chemical Manufacturing  
33 Area Sources: Chromium Compounds, published on July 16, 2007 at  
34 72 FR 38864.

35 (104) 40 CFR Part 63, Subpart OOOOOO, National Emission  
36 Standards for Hazardous Air Pollutants for Flexible Polyurethane  
37 Foam Production and Fabrication Area Sources, published on July  
38 16, 2007 at 72 FR 38864.

39 (105) 40 CFR Part 63, Subpart PPPPPP, National Emission  
40 Standards for Hazardous Air Pollutants for Lead Acid Battery  
41 Manufacturing Area Sources, published on July 16, 2007 at 72 FR  
42 38864.

43 (106) 40 CFR Part 63, Subpart QOOOOO, National Emission  
44 Standards for Hazardous Air Pollutants for Wood Preserving Area  
45 Sources, published on July 16, 2007 at 72 FR 38864.

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48 **KEY: air pollution, hazardous air pollutant, MACT**

49 **Date of Enactment or Last Substantive Amendment: [February 9,**  
50 **2007] 2008**

51 **Notice of Continuation: February 9, 2004**

52 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)**

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